

2nd November 1935]

Sriman M. G. PATNAIK Mahasayo:—“ I move that it be a direction to the Select Committee to submit the report on or before the 6th of this month.”

The Hon. Mr. C. A. SOUTER:—“ I beg to second that motion, Sir.”
The motion was carried.

IV.—MOTION RE SECOND REPORT OF THE MADRAS DELIMITATION COMMITTEE—cont.

* The Hon. the PRESIDENT:—“ Discussion on the Madras Delimitation Committee's second report will continue.”

B. POCKER SAHIB Bahadur:—“ Mr. President, Sir, yesterday I was dealing with”

* The Hon. the PRESIDENT:—“ May I point out to Mr. Pocker that the time is short and we have to complete the debate before 1-30 p.m. to-day. We must also give an opportunity to the Hon. the Finance Member or his Secretary to make his reply if he is willing to do so. As the hon. Member has already taken a sufficiently long time yesterday, I hope he will finish his speech soon to-day.”

B. POCKER SAHIB Bahadur:—“ I will be very brief, Mr. President. Sir, my justification for taking some time yesterday was due to the fact that the Mappillas were dealt with in a way in which they should not be dealt with by an hon. Member on an amendment regarding this matter. Anyhow, I do not wish to stand in the way of other hon. Members participating in the discussions as regards the various other matters connected with the subject. I was pointing out yesterday, how the Mappillas were of greater political importance in this country than the Mussalmans of the East Coast on the ground that they are an absolute necessity for the defence of the country. If the question of political importance is to be looked at, from the historical point of view too, the Mappillas have their own chief in the person of the Arakkal Raja and until recently he was ruling the Laccadive Islands and it was only quite recently that it was taken from him. From whatever point of view the question is looked at, it cannot be said that political importance is the monopoly of the East Coast Mussalmans and that the Mappillas have no importance at all. As a matter of fact from the point of view of the administration of the country itself, they are an absolute necessity and of greater importance.

“ Another reason given by the Committee for taking away the seat is this: ‘ the distribution of the Muslim population should not form the only consideration in the formation of constituencies. Since the weightage is given to the Muslims as a minority community it should benefit the community in districts where they constitute a small minority rather than in districts where they are a large minority.’ I submit, Sir, this is a great fallacy. Weightage is given to the whole Presidency for the whole community. The Communal Award does not say anything to warrant the inference which the Delimitation

[B. Pocker Sahib Bahadur] [2nd November 1935]

Committee has drawn. When once weightage is given to the whole community it is not open either to the community or to the authorities to divide it between areas where Muslims are sparse or dense. Therefore, the question of weightage cannot be taken beyond what has been stated in the Communal Award. The Award does not say anywhere that this weightage is to be enjoyed by Muslims only in this or that district where they are very few. Therefore the inference drawn by the Delimitation Committee is absolutely unwarranted.

“ Another important matter I wish to refer to is this. After the publication of the first report nothing new had arisen for issue of a second report or to modify the first report. So far as I can see, the only new factor seems to be, on a reading of the second report which is now under consideration, is the appearance of Mr. Basheer Ahmed Sayeed before the Committee; apart from that I do not see any other new facts. Here I wish to say a word or two on this aspect of the question. Mr. Basheer Ahmed Sayeed's amendment is no other than what he has already put in in the memorandum which he submitted to the Committee. It has been already pointed out that no opportunity was given to the Mussalmans of the West Coast to give oral evidence before the Committee and my hon. Friend, Mr. Basheer Ahmed, alone seems to have enjoyed that privilege. I would like to say that so far as his scheme is concerned, it is not based on any general principle on which the Committee could distribute the seats. The Committee had to consider whether the seats should be distributed according to districts or according to population. If Mr. Basheer Ahmed's idea is that the seats should be distributed according to districts let him do so irrespective of any other considerations. What he says is, districts which have a population of 35,000 and more, or 4,000 or more voters, should be given one seat. Let us see how these figures are arrived at. My hon. Friend, Mr. Basheer Ahmed, in his speech yesterday in this House, let the cat out of the bag when he pleaded for a separate seat for South Arcot, not on grounds of any general principle, but on the ground of its importance, apart from the importance of other districts. Apart from the fact that South Arcot is the district from which my hon. Friend, Mr. Basheer Ahmed Sayeed, hails, I cannot see any special importance so far as this district is concerned. The whole object of my hon. Friend in moving his amendment is to see that South Arcot which was formerly linked with Chittoor is now linked with Chingleput. He wants that his own district should get a separate seat and in order that he may get this, certainly Chingleput has to be provided with a seat. In order to give one separate seat to Chingleput, what should be done? What is the population of Chingleput? It is 37,000. So he fixed the minimum as 35,000 and it is from this fact that his scheme has been evolved. On the other hand, if his idea is to give one seat to each district, why does he not give a seat each to Ganjam, West Godavari, East Godavari and also to Nilgiris? That is not his principle . . . ”

2nd November 1935]

Mr. BASHEER AHMED SAYEED:—"On a point of personal explanation, Mr. President. My hon. Friend is misrepresenting me thoroughly from beginning to end. I have stated definitely on the floor of this House, as I did before the Delimitation Committee, which examined me, that each district ought to be taken as a territorial unit for the distribution of seats and that population consideration must also weigh."

B. POCKER SAHIB Bahadur:—"I leave it to the Hon. House to find out how my hon. Friend has raised this point of order and how he has shown that I have made misrepresentations."

Mr. BASHEER AHMED SAYEED:—"I have not raised a point of order."

* The Hon. the PRESIDENT:—"I wish the hon. Member does not refer to personalities and be done with the arguments that have so far been advanced against Mr. Basheer Ahmed."

B. POCKER SAHIB Bahadur:—"I will not in any way refer to personalities. I will say Mr. A and not Mr. Basheer Ahmed and shall not pronounce his name hereafter at all until I finish my speech. Now, Sir, the Mover of the amendment, with which I am now concerned, has as his object, the securing of one seat for his own district and nothing else and his whole scheme has been evolved out of this principle. It is quite patent and nobody can escape noticing it. So far he has not succeeded in his object and it is for that purpose that he has brought in this amendment . . ."

* The Hon. the PRESIDENT:—"Order, order. I am constrained to observe that hon. Members are getting more noisy. I may make a special request to hon. Members not to sit in groups and go on talking and loudly whispering. I wish more silence is maintained in the House and if there is anything to be discussed about, they are at liberty to go to the lounge room or to the lobby and come back to the House with their considered views."

B. POCKER SAHIB Bahadur:—"What the Delimitation Committee has done in their second report is that they have deprived Malabar of one urban seat. The Muslim Sub-Committee has unanimously recommended one urban seat for Malabar and there was no dissenting minute so far as that was concerned, but the only dissenting minute was about the second seat for South Kanara—only Messrs. Yakub Hasan and Yahya Ali have agreed, while the others did not agree—and it was passed by the Committee that South Kanara should have two. So far as the urban seat for Malabar is concerned, the Muslim Sub-Committee was absolutely unanimous in their recommendation, but the Delimitation Committee went back upon its first report and deprived Malabar of this urban seat. I submit that it is absolutely unfair and it ought to be set right in the interests of justice to all concerned."

[B. Pocker Sahib Bahadur]

[2nd November 1935]

11-45
a.m.

“ There is one other factor I would like to refer to in this connexion. The second report does not refer to it; but as reference has been made to it by Mr. Raman Menon, I am bound to refer to it because the hon. the Mover of the amendment made mention of it yesterday. Otherwise I would be unwilling to raise it now at all. The hon. Member said yesterday that ten out of the thirteen members of the Committee have agreed to his view and that their views ought to be given weight. I have as much reverence for the hon. Members of the Committee as my hon. Friend; but I submit that their views ought to be given due weight so long as those views are reasonable and just. I would like to ask now whether that is the representation my hon. Friend, the Mover, has made to the Committee. Certainly not.

“ Hon. Members are aware that there is the Council Muslim Party. Long before the Delimitation Committee was thought of, we tried to come to some agreement on Muslim representation; but mainly due to Mr. Basheer Ahmed who backed out, our efforts proved futile—I am sorry I mentioned his name. He drew out a scheme and sent a circular to all the members of the Committee saying that in the opinion of the Muslim Party the scheme should be given effect to.”

Mr. BASHEER AHMED SAYEED:—“ On a point of personal explanation, Sir, I sent round a circular memorandum wherein it is stated that it embodies the views of some members of the Muslim Party. I said only ‘members’ and not ‘the party itself’.”

B. POCKER SAHIB Bahadur:—“ I have seen the memorandum in the *Hindu*. (Mr. Basheer Ahmed Sayeed: ‘I am not responsible for it.’) Sir, I was saying that he began the memorandum by saying that the question was considered by the members of the Muslim Party. But both in conclusion and in the course of the memorandum there are various statements which convey the impression that they are the views of the Council Muslim Party itself. The conclusion, i.e., ‘in view of the resolution of the Muslim Party’ is significant to remember. Even though he might have originally intended to word it so cleverly as to avoid being found fault with, he has not succeeded in that effort. On the other hand, if my hon. Friend says that it was not his intention to have created a misunderstanding in the minds of the members of the Committee, I can only say that in spite of it, it has occurred. And in support of the statement I will only refer to what Mr. K. P. Raman Menon says in his dissenting minute to the second report, on whose mind the memorandum of my hon. Friend has created the impression that it is the memorandum of the Muslim Party. Mr. Raman Menon says . . . ”

Mr. C. BASU DEV:—“ Will the hon. Member let us know when he will be finishing so that we may go out and be back in time? ”

B. POCKER SAHIB Bahadur:—“ I am not bound to make a reply to the hon. Member. If he wants, let him study the rules before he interrupts me, so that he may not speak in this House in that strain hereafter.”

2nd November 1935]

* The Hon. the PRESIDENT:—"Several hon. Members are anxious to know if they will have an opportunity to speak on the motion. If the hon. Member goes on at this rate, he will recognize that other hon. Members may not have a chance."

Mr. BASHEER AHMED SAYEED:—"My hon. Friend can never be brief."

B. POCKER SAHIB Bahadur:—"I bow to your ruling and shall cut short my remarks; but in view of the method adopted by the hon. Member to gain support for his opinion, I have to make myself quite clear, as the secretary of the party, whose considered opinion the hon. Member professed to put before the Committee, and vindicate my position before the House. Only if my friends allow me to proceed I shall finish my speech very soon."

"This is what Mr. Raman Menon says in paragraph 12 of his dissenting minute:—

'It is significant to observe that the Muhammadan representatives from the West Coast and Mr. Hameed Khan are not signatories to the resolutions of the Madras Muslim Council Party. (See page 16 of the second batch of representations.) Although Mr. Hameed Khan, possibly at the importunities of his friends outside Malabar, subsequently wrote to say that he agreed with the Madras Muslim Council Party, he has taken care to state that he does not want the West Coast Muslim seats to be reduced.'

"He follows it up and says:—

'As against these representations from the Madras Muslim Council Party, etc., I would refer to the various representations received from Malabar on this very question insisting on their rights and leave the matter there.'

If these are the impressions created in the mind of Mr. Raman Menon, I would like to know whether I was not justified that an attempt was made to represent them as the opinion of the Council Muslim Party and not merely as the opinion of an individual. Certainly I will respect an individual's opinion. But if it is made known that it is the party's opinion, I, as the secretary of the party have to say that I have not convened any meeting. If it was convened, certainly it could have been discussed. I would have been able to persuade my hon. Colleagues or they may have been able to persuade me. Neither of these things occurred. My submission is that it was not at all fair on the part of my hon. Friend to have resorted to this method.

"In view of the fact that it is unfair to stand in the way of the other hon. Members who desire to speak on the motion, I do not like to take up much time. Not being satisfied with what he has done, he tries to deprive the West Coast Muslims of one of their seats on the Provincial Legislative Council also. As I have already said, my hon. Friend will not be satisfied unless we are crushed. The Committee itself appears to have repented for its action in another part of its Report regarding Provincial Legislative Council. This is what they say in paragraph 20 (b):—

'In this case the Committee considers that the seats should be distributed according to voting strength. The majority would admit however that, as Malabar and South Kanara have not received the full representation in the

[B. Pocker Sahib Bahadur] [2nd November 1935]

Assembly to which they are entitled on the basis of the Muslim population of those districts, two seats in the Upper House may be allotted to these districts.' The Committee itself admits that they are entitled to more. We have been deprived of our due share, though no doubt we claim the full number according to the population which comes to 12 seats and a seat for women. My request to the Government is that the Second Report of the Committee should not be allowed to prevail so far as we are concerned and they must restore what has been taken away from us by this report."

IV-A.—BILL TO AMEND THE MADRAS ESTATES LAND ACT, 1908 (BILL No. 2 OF 1935)—APPOINTMENT OF CHAIRMAN OF SELECT COMMITTEE.

* The Hon. the PRESIDENT:—"I have to announce that I appoint the Hon. Mr. C. A. Souter, as the Chairman of the Select Committee on Mr. Patnaik's Bill to amend the Madras Estates Land Act, 1908."

IV.—MOTION *re* SECOND REPORT OF THE MADRAS
DELIMITATION COMMITTEE—*cont.*

Mrs. A. Rukmani Lakshmipathi rose to (speak).

* The Hon. the PRESIDENT:—"I may point out that item (5) of the hon. Member's amendment dealing with polling is not covered by the Report. She can avoid that and deal with the other points."

Mrs. A. RUKMANI LAKSHMIPATHI:—"Mr. President, I beg to move the amendment standing in my name, i.e.:—

'Add the following at the end:—

"And on such consideration this Council is of opinion (1) that the method of voting in all plural member constituencies, even in cases where a seat is reserved for scheduled castes should be the distributive method of voting but not the single non-transferable method nor the cumulative method."

12 noon. "I shall move each paragraph of my amendment separately, giving reasons therefor. On a perusal of the Report submitted by the Delimitation Committee and the order of the Government on the First Report, one is tempted to believe that the recommendations made by the Delimitation Committee and also by the Government, militate against the general interests of the people and are also contrary to democratic principles and ideals. Now, Sir, referring to the method of voting, namely, the cumulative method that the Delimitation Committee has suggested, I should like to point out that of the three systems of voting, the distributive method which obtains at present, the cumulative method and the single non-transferable vote, the distributive method is the best. To our experience during the last 15 years ever since the inauguration of the Montford Reforms we have found that the electorate has not experienced the least difficulty in recording its votes through this system. When I was a candidate for the local Legislative Council, I found that the voters were able to record their votes with perfect ease.

2nd November 1935] [Mrs. A. Rukmani Lakshmiopathi]

Though there has not been any difficulty whatsoever yet the Government set aside the recommendations of the Delimitation Committee which proposed the cumulative method.

“ I should like to point out to this House, Sir, that both the cumulative method and the single non-transferable method, though the cumulative method is slightly better than the single non-transferable method, are disastrous and undemocratic in character. They tend to aggravate the already existing communal feelings in the country. I should like to ask why the Government have recommended the single non-transferable vote which the Delimitation Committee have partially accepted and say: ‘ The majority of the Committee desire to reiterate their objection to the distributive vote; while they prefer the cumulative vote, they have no very strong objection to the single non-transferable vote.’ Mark these words, Sir, ‘ they have no very strong objection to the single non-transferable vote.’ It means though they recommended the cumulative method yet they are in perfect agreement with the recommendation made by the Government and so they have no very great objection to it. While the Anglo-Indians and the Europeans have been given multi-member constituencies with the distributive method of voting I am unable to understand the motives that actuated the Government to recommend in the plural constituencies the single non-transferable method. Regarding the district board elections the system of voting adopted is the distributive system. Take for instance a dual member constituency where one seat is reserved for the Harijans; if the single non-transferable method is introduced, one cannot possibly conceive of the great harm that this method will work, because according to this single non-transferable method, the voter is obliged to exercise only one vote but according to the distributive method he can exercise two votes; he can give one to the Hindu candidate and give the other to the Harijan. But by this single non-transferable vote you place a legal impediment in the path of the voters, you bring about not only caste and communal differences, but also impede the national unity of the country. In plural member constituencies where there is no reservation for the scheduled castes this method of voting would simply be ruinous. But both methods of voting are equally harmful and pernicious because even according to the cumulative method the voter can plump all his votes to the one candidate of his choice. According to the distributive method though the voter has the perfect liberty of exercising 1 or 2 or 3 votes as the case may be, generally our experience has shown that he does not exercise his vote in favour of one particular candidate but distributes his votes to the fullest extent that he is entitled to. But by the cumulative method the voter is tempted to plump all his votes to a particular candidate who belongs to his own caste. Taking into consideration the Poona Pact I must submit that the single non-transferable vote goes against its very spirit. The introduction of the single non-transferable vote practically converts the dual constituencies where one seat is reserved for Harijans into separate electorates thereby hampering national unity.

[Mrs. A. Rukmani Lakshmipathi] [2nd November 1935]

“The second paragraph of the amendment I move is as follows:—

‘(2) That for all the general seats, (a) multi-member constituencies shall be formed without any exception and (b) that no district which is given not more than four seats including the one reserved for the scheduled castes should be split up and only such districts as are allotted five or more seats should be split up into two or three multi-member constituencies.’

“The Government memorandum, Sir, has very distinctly said that the minorities stand a poor chance of representation if there should be single-member constituencies. I should like to refer this House to the minute of dissent submitted by Mr. Chintamani, Mr. Tambe and others to the Indian Franchise Committee's Report wherein they have very strongly recommended multi-member constituencies. From the Delimitation Committee's report you will find, Sir, that no uniform and consistent method is followed in the delimiting of constituencies. Some single-member constituencies have been recommended and some multi-member constituencies have been recommended. On the whole as many as 46 single-member constituencies and as many as 26 double-member constituencies have been recommended. While the Europeans and the Anglo-Indians have been given multi-member constituencies I do not see any reason why multi-member constituencies should be denied to others. The Bombay Government have also supported the continuance of the present system. The constituencies that we have now are all multi-member constituencies. In multi-member constituencies there is every opportunity for minority communities to be represented. People with parochial outlook or with communal bias will not have much chance to be returned. If the constituencies are single-member ones there is every possibility for the zamindars, rich people, and people with influence to be returned in larger numbers. Therefore in multi-member constituencies a fairer representation is quite possible for minority communities like the Muslims, Christians and Harijans. Further, Sir, there is the least chance of corruption because men with influence like the zamindars, landlords and leaders of communities will be easily returned through single-member constituencies. There is every possibility for them to be returned because of the influence they wield. With these few words I move my second amendment and ask of this hon. House why the present system could not be continued.

“I move the third paragraph of my amendment, namely:—

‘(3) That the City of Madras should be constituted into a single constituency with six general seats including two seats reserved for scheduled castes.’

12-15
p.m.

“My amendment suggests that two more seats besides the four general seats should be reserved for scheduled castes. The Scheduled Castes Sub-Committee recommended that two seats should be reserved for the Harijans in the City of Madras, but the Government have

2nd November 1935] [Mrs. A. Rukmani Lakshmipathi]

given them only one seat. In a cosmopolitan city like Madras, Harijans are much more enlightened and have greater political knowledge, I presume, than the Harijans in the rural areas could possibly have. As such, I am of the conviction that two more seats should be given to them. Further the seats should not be divided among four single-member constituencies; and the city should form one constituency. I therefore commend this amendment for the approval of this House.

“Then regarding the fourth paragraph of my amendment:—

‘(4) *That in the case of urban seats, (a) only single towns should be formed into constituencies and (b) they shall be Vizagapatnam, Cocanada, Ellore, Bezwada, Guntur, Conjeeveram, Vellore, Cuddalore, Tanjore, Trichinopoly cum Srirangam, Tinnevely cum Palamcottah, Coimbatore, Salem, Mangalore and Calicut, or (c) in the alternative, those ten towns proposed in Appendix I (a) of G.O. No. 355, dated 19th August 1935.*’

The Delimitation Committee in its first report recommended ten urban seats, by grouping together many municipalities, sometimes as many as 12, and making them into one urban seat. The Government, however, have rejected this proposal. They have pointed out that if too many municipalities were grouped together, it would not bring about efficient representation because these municipalities are scattered. In the minute of dissent submitted by Mr. Yahya Ali at page 5, he referred to the following passage:—

‘As regards the delimitation of territorial constituencies, His Majesty’s Government, while they are content to leave your Committee a wide discretion in matters of detail, are anxious that you should make it your general aim, as far as the conditions permit, the maximum degree of contact between candidates and electors and the convenience of both, due regard being paid to administrative needs, the ideal to be aimed at being constituencies manageable in area, in number of voters, and in physical characteristics.’

I agree in that view; and in order to bring about closer contact between the candidates and the constituencies, it is better to lessen the difficulties in the way of candidates and not group too many municipalities and make them into one constituency. The Government have in their memorandum suggested 16 single municipal towns as urban seats, the Delimitation Committee suggested only ten urban seats in their first report, but in the second report they have reduced it to eight. They say, though the reason is not convincing, that because they have given one urban seat for women in Calicut and in Palghat they were obliged to cut down the ten to eight. With these remarks I commend the fourth paragraph of my amendment for the acceptance of the House.

“I shall not deal with the fifth and sixth paragraphs of my amendment, Sir.

“The next paragraph of my amendment is:—

‘*That in the case of Indian Christians, seven single districts containing the largest Indian Christian population should be formed into seven constituencies in addition to the City of*

[Mrs. A. Rukmani Lakshmipathi] [2nd November 1935]

Madras and that the Indian Christian voters in all the other districts be merged in the general constituencies for the purpose of voting and standing as candidates.'

Two suggestions have been made, one is that the entire Presidency including the City of Madras, be given the option to elect eight Indian Christian representatives and the other is, that besides the seat allotted to the City of Madras, seven single districts containing the largest Indian Christian population, be allowed to elect seven representatives. I am in favour of the second alternative, because the Indian Christians residing in districts other than these seven single districts containing the largest Indian Christian population can merge themselves into the general constituencies. They have got the option to stand as candidates in the general constituencies. Soon after the Poona Pact was signed certain nationalistic Indian Christians were very much in favour of introducing joint electorates. When our ideal is to bring about the realization of joint electorates as early as possible, this method will take us nearer and nearer to it, because Indian Christians can stand in general constituencies in places other than the seven single districts and can get elected under the joint electorate system if multi-member constituencies are created as suggested. With these few remarks I move this part of my amendment.

"As regards the next paragraph of my amendment, I have not got much to say. It reads as follows:—

'That three more Muslim urban constituencies be formed and they shall be—

- "(1) the municipalities of Kurnool and Nandyal;*
- (2) the municipalities of Vellore and Vaniyambadi; and*
- (3) the municipalities of Guntur, Tenali, Chirala, Ongole and Narasaraopet "'.*

I wish to urge one point in this connexion. Out of 28 Muslim seats, the West Coast has been given ten seats. The argument has been advanced that the West Coast has the largest Muslim population and therefore it is entitled to a larger proportion of representation. But I do not think that on that account it should get undue representation. On the other hand it will use undue influence and dominate over the rest of the Muslim community. I propose that three seats should therefore be taken away from the West Coast—though it may not be palatable to my West Coast friends—and allotted to the municipalities as indicated in my amendment. The majority of Muslim population reside in urban areas and in municipalities, and as such I feel that they should have three more Muslim urban representatives.

"The next paragraph of my amendment runs thus:—

- '(a) That the electorate for the commercial constituency be the assessee of income-tax on an annual income of Rs. 5,000 and upwards derived on business including mining and planting.'*

2nd November 1935] [Mrs. A. Rukmani Lakshmipathi]

“Regarding this item of my amendment, I feel that we should democratize the electorates by lowering the franchise qualification as much as possible. I therefore suggest that the electorate for the commercial constituency should include all those who pay an income-tax on an annual income of Rs. 5,000 or upwards.

‘(b) That the whole Presidency be formed into one commercial constituency with two seats reserved for Europeans, the electorate being a joint electorate.’

“The Delimitation Committee suggests that the commercial associations should form an electoral college and elect representatives. If mutual goodwill and better understanding between the Indian commercial men and the European businessmen are to be brought about there is no better method than to include them all in a joint electorate. There is a very large population of Europeans who have come to this country to do business with us, and if they wish to have the support of the Indian businessmen and if they do feel that their interests are in common with the interests of the Indian businessmen, they must form part of the commercial community of the country. The Indian Franchise Committee has however thought otherwise. They say in their report that the European merchants are averse from any system of joint electorates. Page 129 of their report says:

12-30
p.m.

‘We are satisfied that the European Chamber of Commerce are at present averse from joint electorate.’

I differ from the recommendation of this Committee because I do feel that in this matter they have made a reactionary recommendation and I suggest that the entire commercial community, including both European and Indian, should form one commercial constituency.

“The next paragraph of my amendment is:—

‘That the franchise for the landholders constituencies be widened by lowering the qualification to an annual income of Rs. 1,000.’

Here also the principle involved is that we should not make these landholders’ constituencies so many pocket boroughs, but should lower the qualification so as to enable all landlords and inamdars to vote in these constituencies. The qualification that I have suggested is that all landholders having an income of Rs. 1,000 should be entitled to vote in the landholders’ constituencies. It is ridiculous to have five out of six constituencies having less than 100 voters.

“The next paragraph is to the effect:—

‘That all the graduates of not less than five years’ standing be the electors of the University constituency.’

In this connexion, Sir, much has been said against the proposal of the Delimitation Committee who have suggested in their first report that only the Senate should be entitled to send a representative to the Legislative Assembly. They afterwards revised their recommendation

[Mrs. A. Rukmani Lakshmipathi] [2nd November 1935]

and have included the Academic Council, the Vice-Chancellor and the Pro-Chancellor in the University constituency. The reason that was advanced for limiting the University electorate to only the Senate and the Academic Council was that the University being an administrative body, the students have really no particular or special interest in it. One cannot possibly conceive of a University without its graduates. The system that is prevailing in the western countries is that it is the graduates that elect representatives to the legislatures and not the small body like the Senate. In other Provinces in India the graduates constitute the electorate. By this proposal the graduates are deprived of the inherent right of electing their own representative to the legislature. The Bombay Government have accepted the proposal to form a constituency on the lines I have suggested, viz., to constitute all graduates of five years' standing into the University constituency.

“ The last paragraph is :—

‘ That there shall be no urban seats for the Provincial Council. ’

In Australia all adult members of the population have the vote for the Upper Chamber. Similar is the case in all modern constitutions. I shall not discuss the question whether Second Chambers are advisable or not as it is beyond the scope of our discussion. However the arguments put forward by Messrs. Chintamani and others against the formation of Second Chambers are weighty indeed. They have said as follows: ‘ We feel so keenly and our conviction is so strong that in the public interest Second Chambers ought not to be established in the provinces. It is mostly for those who are concerned more for the special position of the privileged classes than for the advancement of the people at large ’.”

The Hon. Mr. G. T. H. BRACKEN :—“ On a point of order, may I ask whether the hon. Member is in order in discussing the question of the Second Chambers which was not at all before the Delimitation Committee. That has been settled by the Government of India Act.”

Mrs. A. RUKMANI LAKSHMIPATHI :—“ I do realize that the question of having a Second Chamber does not come within the scope of the Delimitation Committee and that is why at the beginning I said that though we were not going to discuss the question of the advisability or otherwise of having a Second Chamber, I would merely for argument's sake refer to it.

“ My reason for not advocating urban seats for the Provincial Council is that in urban areas the number of persons that will be qualified to vote will be a few hundreds with the result that those who stand for the Upper Chamber will have practically a monopoly for the seats. When our principle is to widen the electorate by widening the franchise there is no valid reason for creating six urban constituencies for the Provincial Council. The Second Report of the Delimitation Committee is also in favour of not having urban seats for the Provincial Council.”

2nd November 1935]

Mr. P. RATNAVELU THEVAR:—" I second the amendment.

* Mr. G. RAMESWARA RAO:—" Mr. President, Sir, I do not propose to take much time in moving my amendment, viz.:—

' Add the following at the end:—

" and on such consideration, this Council recommends that the whole district should be the unit for an electoral constituency and that multiple voting should be allowed in all plural constituencies, as it is now obtaining ".

Sir, the principle involved has been well recognized though there is still a difference of opinion between one section of thinkers and another. The main point on which I would put it is this: that if an electorate area is cut short into a small unit as to give rise to only single member constituencies, the danger is that a local magnate or a money-lender or a zamindar or a tyrant, would have the monopoly of gathering all the votes in that small area and make it his pocket borough rather than enable the best material being sent to represent the constituency in the interests of the Government and the administration. I put it only on the question of efficiency and competency of the member and I say that competent members are very often excluded when the areas are made small and reduced to small pocket boroughs. On that ground I say that the idea of reducing the electoral area to a small unit is not quite welcome and advisable. No reasons have been advanced as to why plural constituencies now existing have been found unworkable. It may be said that according to the new system the number of voters will be large and the electorate may be pretty unwieldy. That is certainly no ground for changing the existing system. If the number of voters is likely to be large and *pari passu* the electoral area, arrangements may be made by Government for giving facilities for recording the votes of all possible and willing voters. That is the regular way of solving the difficulty. It is not enough to say that the areas must be made smaller to suit the convenience of individual members who may be unwilling to travel long distances. Therefore the reasons advanced for making the constituencies smaller are not at all sound and consequently I request the Hon. House to accept my amendment."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—" I second the amendment moved by the hon. Member to the Second Report of the Delimitation Committee. I do not want to traverse the same grounds which the previous speakers have traversed. The second report, as has been pointed out by a previous speaker, contained separate decisions from the first report. When the decisions in the first report were arrived at they were arrived at a meeting of the main Committee sitting along with the sub-committee. So it would have been proper if the main Committee, when they revised their first decision, had taken the view of the sub-committee or consulted them. The decision taken sitting along with the sub-committee as contained in the first

12-45
p.m.

[Mr. Mahmud Schamnad] [2nd November 1935]

report of the Committee was generally accepted by the Government which consisted of several hon. Members posted with authoritative information and having much experience. When Government have accepted the first report, the Committee should have taken steps, before revising their first decision, to ascertain the views of the Government. If they had done so it would have been more proper.

“Speaking about the single non-transferable vote and cumulative vote, I should say I would prefer the single non-transferable or even cumulative voting system, for the simple reason that it is simpler. The masses make mistakes and have made mistakes before in exercising their votes according to distributive system of voting. Although some previous speakers—including the hon. the Lady Member—spoke in favour of plural or multi-member constituencies, I have to say that I differ from them. I think in the present conditions of this country it is better that we have single-member constituencies.

“Sir, it was stated that single-member constituency was less democratic. But I will point out that in European countries where democratic principles are prevailing and from where we are copying them, the system of single-member constituency is also prevailing.

“About the labour constituencies it has been stated in the report that for dock and factory labour one seat would be allotted for Malabar and South Kanara but in fixing the thirteen places in these districts on the West Coast, they have fixed only one place in South Kanara while all the rest, viz., twelve are in Malabar. Such places as Malpe, Udipi, Karkal, Kasaragod and Coondapoor in South Kanara district where there are large factories, etc., have been left out. It is a sheer injustice to leave out the labourers who work in these places.

“Now coming to the scheme of my friend, Mr. Basheer Ahmed, and his arguments to reduce the Muslim seats to the West Coast, I would point out that Mr. Raman Menon in his dissenting minute, page 29, paragraph 5 of the Second Report, states as follows:—

‘They are (1) two communications from Mr. Basheer Ahmed Sayeed, . . . of the second batch; (2) a resolution of the Muslim Council party appended to Mr. Basheer Ahmed Sayeed’s third letter printed at 16.’

I would submit that this resolution is a fudged document and no such resolution was passed at any such meeting. On the floor of this House I have also stated before that there is no such party as the Council Muslim party of which I am a member. If necessary my hon. Friend, Mr. Tajuddin, will bear me out.

“Sir, Mr. Basheer Ahmed wrote to me a registered letter in which he suggested the existence of such a Muslim Party and also referred to a resolution that was proposed to be passed and addressed me as ‘Dear Brother in Islam.’ I sent a registered reply addressing him also as ‘Dear Brother in Islam’ and categorically denying all the statements made by him and also pointing out that no such party had any right to pass such a resolution binding me and other Members of the

2nd November 1935] [Mr. Mahmud Schamnad]

Council. I challenge him here and now, Sir, to get up in his place and say that any such resolution was passed at a meeting of any such party."

* Mr. BASHEER AHMED SAYEED:—"Sir, now that a challenge has been thrown it is not proper that I should leave it unnoticed. I submit that I have never made any statement before the Delimitation Committee nor on the floor of this House that any such resolution was passed. The only statement that I made was that a certain draft resolution was circulated to the Members of the Muslim Party to elicit their opinion and 9 members out of 13 wrote to me saying that they had accepted the draft resolution which was sent to them and it was this that was sent to the Delimitation Committee. I may also point out that the Muslim Member on the Delimitation Committee accepted the draft resolution that is contained in the printed memorandum. I do not think it is fair that I should be personally attacked in this manner."

* Khan Bahadur MAHMUD SCHAMNAD SAHIB Bahadur:—"The paragraph I read is from Mr. Raman Menon's dissenting minute, Sir. It is stated therein that Mr. Basheer Ahmed attached to his letter a resolution of the Council Muslim Party. It is on that that I relied in making my statement. I however admire his audacity, Sir, in producing such a cooked up resolution.

"Now, Sir, to come to the first of Mr. Basheer Ahmed's amendments, it says that 'each district containing a Muslim population of 35,000 and above and a voting strength of 4,000 and above excluding the two West Coast districts shall be assigned one seat.' Any one acquainted with my hon. Friend, Mr. Basheer Ahmed's ways can easily see through this device of having 35,000 as the basis of population and 4,000 as the basis of voting strength. When I searched into the memorandum prepared by the Government, I found that it is only Chingleput district that agrees with this description and so my Friend, Mr. Basheer Ahmed's motive is quite clear. He wants that South Arcot which is his district should have a seat for itself and Chingleput which is now tacked on to South Arcot must be separated as it comes up to his standard by possessing a Muhammadan population of 35,000 and a voting strength of 4,000. In his 7-B amendment he says Chingleput might be tacked on to Chittoor in the event of a single seat not being assigned to it. This makes his intention clear enough.

"For depriving the West Coast Muhammadans of their due share of representation one of his arguments is that the distribution of seats should not be on the basis of population but of political influence. First of all it has not been clearly stated what he means by 'political influence.' If it means the past political position and power held by the Muslims, the West Coast Muslims deserve better consideration than those of the East Coast, because no Muslim Chieftain or Paliagar held sway in the East Coast for more than some 50 years. But in the West Coast the Ali Rajas of Cannanore were reigning for centuries, first

[Mr. Mahmud Schamnad]

[2nd November 1935]

1 p.m. under the Kolatri Rajas and then independently. They were ruling over the main land and Laccadive Islands. It is only when their country was subdued by Tippu Sultan who in turn was defeated by the English that the whole country was ceded to the British. But if it means that the present political importance is to be taken into account, I need not say that it lies more in Malabar than elsewhere as pointed out by Mr. Pocker. It is much more necessary to keep the Mappillas contented and well informed about the correct policy of the Government by giving them due representation in the legislative bodies; because any misrepresentation of Government policy is likely to lead to trouble. The Mappilla rebellion of 1920 was the result of misrepresentations. There should be sufficient number of representatives in the Assembly to refute any misrepresentations that might be made in future by explaining to them the Government's policy.

“The other argument is one based on weightage. Sir, I do not understand the sophistry about weightage. It is said that weightage is given to the Muslims of the province being in a minority and that weightage should be given to Muslims in districts where they are in a smaller minority as against Muslims in districts where they are in a larger minority. This is a fallacy. Weightage is given to the Muslims of the province as a whole as against the Hindus and other non-Muslim majority of the whole province and this weightage is given in the Provincial Legislature and not in a district council. If weightage is to come into play in a district assembly or council, the Muslim minority there may claim that they should be given weightage against the non-Muslim majority in the district council. But when the weightage is given for the Provincial Council where does the question of weightage for the Muslim minorities in some districts come in? Again, Sir, if it were a district council, the Hindu majority might say that they should not be converted into a minority in the district council by giving more seats to the Muslims. But as the question is concerned with a Provincial Council, these considerations do not arise. Therefore, Sir, I submit that on a proper review of all the facts, West Coast Muslims should be given at least 12 seats—10 seats for Malabar including an urban seat for Calicut and two for South Kanara as it contains the largest Muslim population next only to Malabar. Sir, it is a well-known democratic principle that representation is given to the people and not to the areas. It is the people that ought to be represented and not areas. The Delimitation Committee in their first report (page 14) have stated:

‘The majority of the Committee is not convinced by the arguments advanced that there is any case for departing from the basis of population as the principal guide in the allocation of Muslim seats to different parts of the Presidency.’

But, Sir, they have departed from the basis of population and no reason has been shown for departing from that democratic principle in the allocation of seats for Muslims. Moreover, the Muslims in the

2nd November 1935] [Mr. Mahmud Schamnad]

northern half of South Kanara are non-Mappillas. I hope all these facts will be taken into consideration before finally deciding the question."

* Rao Sahib V. I. MUNISWAMI PILLAI:—"Mr. President, Sir, I beg to move the amendment standing in my name:—

'Add the following at the end:—

"and on such consideration, this Council is of opinion that in the distribution of the thirty seats for scheduled castes, a seat may be allotted to the revenue district of the Nilgiris."

"Sir, at the outset, I must say that the memorandum presented by the Government has been so well drafted that many important points once so complicated have been made clear. The efforts of Mr. Boag, the Secretary, in this connexion, must be appreciated. But I find there is one point on which the main committee has been silent. Sir, after the deliberations in London of the Second Round Table Conference and after the announcement of the Communal Award by the Premier, there was a great hue and cry in India especially among the Hindus and the depressed classes now known as the scheduled castes. On two important points the whole Communal Award was tackled in this country and they were the number of seats allotted to the depressed classes in the various provinces and the method of election. Madras got 18 seats under a system of separate electorates. Exception was taken to it by the depressed classes of the nationalist school and the Hindus who believed in a united India. When the deliberations on the Poona Pact took place there were many prominent men like the Right Honourable T. B. Saprú, Mr. Jinnah, Mr. C. Rajagopalachariar on the Hindu side and Dr. Ambedkar, Rao Bahadur R. Srinivasan, myself, Mr. Jagannatham, Rao Sahib N. Siva Raj and some other gentlemen from various other provinces on the side of the scheduled castes. After great deliberation it was decided that the representation of the depressed classes should be increased so that the depressed classes might get a better voice in the future Government of the country."

The Hon. Mr. G. T. H. BRACKEN:—"On a point of order, Mr. President, is this all relevant to the amendment?"

* The Hon. the PRESIDENT:—"I am just trying to find the relevancy of the remarks of the hon. Member. I think the hon. Member had better confine his remarks to the amendment before the House."

Rao Sahib V. I. MUNISWAMI PILLAI:—"The Government Memorandum says:

'But since the Poona Pact has been accepted as an authoritative modification of the Award, the Committee are clear that it cannot now be rejected.'

Further on, the Memorandum says:

'It follows that if every scheduled caste voter is to have a say in the elections for the reserved seats, the whole Presidency must be divided into not more than 30 multi-member constituencies.'

[Mr. V. I. Muniswami Pillai] [2nd November 1935]

Sir, the Memorandum clearly says that the whole Presidency must be divided into thirty constituencies, so that the thirty seats may be distributed equally among all the districts. Yesterday, my hon. Friend, Mr. T. S. Ramaswami Ayyar, also observed that each district must be made a unit for the purposes of election. The revenue district of Nilgiris alone is left out and even the Committee has not said anything about it. One previous speaker, the lady Member, while speaking observed that Madras city is cosmopolitan and it has to be given two seats. If cosmopolitanism is the criterion to determine the number of seats, I must point out that Nilgiris is more cosmopolitan and must be treated in a fair way. I do not see why the Nilgiris which has for a long time, even before the Reforms, played a very important part in the politics concerning the depressed classes of the Presidency should be neglected. Further on the Memorandum says:

'Any other arrangement will deprive a certain number of the scheduled caste voters of the opportunity to take part in elections for the reserved seats. It will not however disfranchise them; for the scheduled caste voter will still be at liberty to vote and even to put up a candidate belonging to his community in a constituency where no seat is reserved.'

The Hon. the Finance Member knows the conditions of the Nilgiris very well and I am sure he will realize that it will not be possible for a scheduled caste candidate to get a seat in the Nilgiris if no seat is reserved for them. There is one community which is predominating there and they are the Badagas. For the last nine years it has not been possible for any other advanced communities to get a seat in the Nilgiris and how will it be possible for the scheduled caste people in the Nilgiris to elect a candidate of their own? In view of these facts I request the Government, in their final recommendations, to allot a seat to the scheduled castes in the Nilgiris. I find, Sir, that after the Retrenchment Committee's recommendations Madras has been tacked on to Chingleput district both forming a single revenue division. Chingleput has been given two seats and Madras one seat, so that one revenue division gets three seats. I have no quarrel with the allocations of seats to these two places, but I want to urge that the revenue district of Nilgiris which is the seat of the Government for so many months in the year and has so much other importance about it, should not be neglected.

"Again, Sir, the Committee make the following observation in regard to the mode of voting:—

'The majority of the Committee desire to reiterate their objection to the distributive vote; while they prefer the cumulative vote, they have no very strong objection to the single non-transferable vote.'

What is the objection of the Committee to have the distributive vote? If there is no distributive vote the very spirit of the Poona Pact will be gone. The Hindus conceded twelve seats to the scheduled castes so that they may have more members to represent them in the Provincial Assembly. I think, Sir, in view of the state of affairs in the Presidency, the adoption of the distributive voting will be in the interests of the development of the community. It has already been accepted

2nd November 1935] [Mr. V. I. Muniswami Pillai]

by the Government and the general public that a system of separate electorate will not help the community. I strongly insist on the distributive system of voting especially in the case of the scheduled castes. I feel, Sir, that the single non-transferable vote will not, in any way, work to the advantage of the scheduled castes."

* Mr. M. A. MANIKKAVELU NAYAKAR:—"Mr. President, Sir, I second the amendment of the hon. Member who has just sat down. I second it, Sir, just to have an opportunity of speaking on the Report. For although I have given notice of some amendments, I do not want to move them, because the object of my amendments has been fully explained by other speakers who have given notice of similar amendments and spoken on them. Thus I want to save the time of the House.

"Sir, theoretically, according to the strict principles of political science, a single-member system is preferable. But my submission is that the strict principles of political science have not been applied fully and truly in the Indian constitution, because the conditions here are so out of the normal. For instance, there have been introduced the principle of reservation of seats, and the principle of weightage to certain communities.

"In the case of the election of the scheduled caste representatives, they have adopted the system of two elections; one the primary election and the other the final election. So, the theoretical principle of single-member constituencies cannot be applied in our constitution. After all, the advantage of having single-member constituencies is not very much when we compare the disadvantages connected therewith. The only advantage, as far as I can see, is that in single-member constituencies the representative can speak authoritatively on behalf of the constituency. But in the case of dual or multi-member constituencies, the members representing the constituency will put forth various views and therefore there cannot be any strict representation of the views of the constituents. That is the only objection. The disadvantages of the single-member constituency are many. Single-member constituencies can easily be made into pocket boroughs. There is great scope for corruption, because the area is limited; the number of voters also is limited and a rich or powerful man can exercise various influences, monetary and otherwise. The advantages of multi-member constituencies are very great, considering the peculiar social and political conditions of Southern India. For instance, in plural-member constituencies there is greater scope for minority communities to get representation and also for non-Brahman Hindu communities which are not strictly minority communities. In bigger constituencies there is greater scope for such communities, as they are scattered throughout the district. In a limited area of a single-member constituency, there is not much scope for similar communities getting representation. That has been very clearly pointed out in the Government Memorandum. I shall just refer to that sentence. It is stated 'that minority communities have very poor chances of securing representation in single-member constituencies.' It is also pointed out in the

1-15
P.M.

[Mr. M. A. Manikkavelu Nayakar] [2nd November 1935]

dissenting minute of Sir Ramachandra Rao 'that in single-member constituencies, minorities have not much scope for proper representation. In the sister Province of Bombay, they have adopted the dual or multi-member constituencies system. It is stated that the Bombay Government have unanimously supported that proposal, on the ground that the system of single-member constituencies will leave out of consideration the proper representation of many minority communities. Conditions in Madras and in Bombay are more or less the same.' Therefore, I urge that instead of single-member constituencies dual or multi-member constituencies system may be adopted. No doubt it is very difficult to have a whole district as a constituency, because the area would be very vast and the number of voters would be 3 to 4 lakhs. The best thing is to divide a district into 2 or 3 divisions. That scheme has been put forward admirably in the Government Memorandum. The system of having multi-member constituencies will give greater scope for the introduction of the joint electorate system which will come into operation sooner or later. Once you fix up the system of having single-member constituencies, people will get accustomed to it and they will be against changing that system when there is necessity for having joint electorate system, according to which Muslims and other communities will take part in a common electorate.

"With regard to the system of voting, personally I would prefer that the cumulative system of voting should prevail. That is the recommendation of the Committee though the Government are for the limited single voting system. The only objection to the cumulative system of voting is that a particular candidate may canvass for all the votes in his favour alone and thus make it impossible for others to get proper representation. That may be the case if the whole district is made into a single constituency. But the Government have adopted the system of having single member constituencies. Even if you have multi-member constituencies, there will not be much difficulty, because you will have to vote for only two or three candidates as the constituency will be part of a district. If they think that the cumulative system is not quite desirable, they should have at least the distributive system of voting and not the system of limited single voting. The distributive system of voting has been in vogue all these years and voters both literate and illiterate have no difficulty. Under that system there is some chance for minority communities and for some major communities who are scattered throughout the whole district, having some representation.

"With regard to the separation of town and rural voters, I submit it is very essential that the rural voters should be separated from the urban voters. It is stated in the Memorandum that the town voters being not very large, they are not likely to adversely affect the rural voting. But the urban voters are concentrated in a small area and their votes are easily polled; they have great scope for exercising the franchise and it will adversely affect rural voting which has to be collected from all over a big area.

2nd November 1935] [Mr. M. A. Manikkavelu Nayakar]

"With regard to the distribution of urban seats, I should state that the towns in my district have not been given due consideration; there are as many as six municipalities in my district and no urban seat at all has been given. The main objection for grouping a number of municipalities for one constituency is they are scattered over a big area and it would be very difficult for the candidates to canvass votes. But in my district three or four municipalities are very near one another—not more than 15 miles apart. They can be grouped together and given one urban seat. The total population of those three or four municipalities will come to more than one lakh.

"With regard to the distribution of the general seats, very great injustice has been done to my district. I shall presently show, how in spite of the large population and voting strength, injustice has been done to my district. The districts of Cuddapah, Anantapur and Bellary have each been given five seats. The population of Cuddapah is roughly $9\frac{1}{2}$ lakhs and the number of voters is 142,000; yet Cuddapah gets five seats including the Muhammadan seat. The district of Anantapur with a population of $10\frac{1}{2}$ lakhs and voting strength of 160,000 gets five seats. Bellary with a population of 9 lakhs and a voting strength of 159,000 gets five seats. My district with a population of 2,262,000 and a voting strength of 312,000 gets only eight seats. Look at the difference between 5 and 8; 2 or 3 seats have been taken away from my district. Then by a comparison with the southern districts, Trichinopoly, Tinnevely, Madura and Salem, I shall point out how the disparity works. Trichinopoly with a population of 19 lakhs and a voting strength of 3 lakhs gets eight seats; Tinnevely with a population of 20 lakhs and a voting strength of 3 lakhs gets eight seats. Madura with 22 lakhs population and $2\frac{1}{2}$ lakhs voting strength gets eight seats. Coimbatore with a population of 2,445,000 and 212,000 voters gets as many as eleven seats. Salem with a population of 2,433,000 and a voting strength of 297,000 gets twelve seats; whereas my district with a population of 2,266,000 and 312,000 voters gets only eight seats. Apart from this, with reference to the table given at page 4 of the second report I shall show what a glaring injustice has been done to my district. There it is pointed out how certain districts have over-representation and how other districts have under-representation. The districts which had at first over-representation were East Godavari, Coimbatore and Malabar; while the districts which ought to have more representation were Ganjam, Vizagapatam, Tanjore and Ramnad. That disparity has been set right by the second report of the Committee by giving each of the districts of Ganjam, Vizagapatam, Tanjore and Ramnad one seat more. The only district that is left out without its due representation is the district of North Arcot. In the case of North Arcot the under-representation is 1·0; in the case of all other districts, it is ·3, ·4 or ·5. The only district which has lost one full seat is the district of North Arcot. The other districts which have under-representation only to the extent of ·3 or ·4 per cent, get compensatory seats, by way of a woman's seat, or an urban seat or they are territorial units for the

[Mr. M. A. Manikkavelu Nayakar] [2nd November 1935]

labour seat. Even that consolation is not given to my district. We neither get a women's seat, nor an urban seat to which we are entitled; nor is our district a territorial unit for a labour constituency.

"Another injustice done to my district is with regard to the total population in allocating seats. The Jain population in my district which is one-third of the Jain population in the whole presidency has been completely omitted. I understand that the Jain population in the North Arcot district is roughly 11,000. That has been entirely left out. I would therefore urge that the question should be looked into again and that justice should be done to my district, because it has lost one full seat. I do not want to suggest as to from which district a seat should be taken away; because it would mean I am attacking particular districts. I would just point out that in the case of Kistna, over-representation is '8; it would not suffer very much if one seat is taken away. Coimbatore has got as many as eleven seats; one seat may be taken away from that district and given to North Arcot; or a seat may be taken away from Trichinopoly or Madura. I therefore say that this question should be looked into again and that bare justice should be done to my district."

* The Hon. the PRESIDENT:—"Hon. Members will just notice that we have covered all the amendments. Amendments 3 to 8 and 10 to 14 as well as the report of the Delimitation Committee are for the discussion of the House. I know that several hon. Members still desire to speak. There are further three items of business—two Bills and one resolution—on the agenda to-day which have to be transacted before this afternoon. The City Municipal Act will be taken up for discussion on Monday."

The House then adjourned for lunch.

After Lunch (2-30 p.m.)

Mr. P. V. KRISHNAYYA CHOUDARI:—"May I know, Sir, what attitude the Government are going to take, whether we can press our motions"

* The Hon. the PRESIDENT:—"The hon. Member will wait and see."

Mr. DANIEL THOMAS:—"Mr. President, Sir, I believe the House will agree with me when I say that the Delimitation Committee had a very delicate and difficult task to perform. Various conflicts, clashes and divergences had to be taken into account and a balanced scheme which would give the greatest amount of legitimate satisfaction to all castes and areas in the province, had to be worked out. From the trend of the discussions that have been taking place, I must say that except in the matter of details and except in the matter of the method of voting, there has been no stringent or carping criticism as regards the proposals contained in the report. No doubt several hon. Members representing various areas of the province have come forward and made demands for increased representation. My hon. Friend Mr. Koti Reddi

2nd November 1935] [Mr. Daniel Thomas]

asked for more seats for the Ceded districts; my hon. Friend Mr. Krishnayya Choudari stands up and says Guntur and Guntur for ever; my friend Mr. Basheer Ahmed claims that more seats should be given to the East Coast Muslims, and so on and so forth. I believe that the fact that these various members representing different areas asked for greater representation and the fact that no other criticism has been made with reference to the fundamental features of the report, are themselves an illustration that on the whole the scheme is sound and that these details of criticism will necessarily arise wherever we have to distribute a small number of seats over a large number of areas.

"I regret that my hon. Friend Mr. Nachiyappa Gounder should have said that this Committee was a Party Committee and party considerations prevailed in its deliberations. I regret, Sir, that such a statement should have proceeded from his lips, especially when there is absolutely no justification for any such criticism. On the other hand, I may just say that taking the second report in juxtaposition with the first, the changes and modifications made in the second report will themselves indicate that the considerations which prevailed with the Committee were entirely of a non-partisan character. Mr. Basheer Ahmed made certain representations with regard to the East Coast Muslims; those representations were considered and certain modifications were also made. Mr. Koti Reddi representing the Ceded districts asked for some modifications and as much effect as could be duly and legitimately given to his representations was given. I may mention that even at the very last stage, just before the report was signed by the Committee, in deference to certain suggestions made by Dr. Subbarayan with regard to constituencies in the Salem district, certain modifications were made. I mention these facts to show that the Committee was entirely unbiassed by party considerations in the matter of delimiting the constituencies.

"With reference to the general features of the report, a good deal of criticism has been made by various members of this Hon. House on the question of single-member constituencies. I would suggest that both as a matter of historic authority and as a matter of practical experience, it cannot be gainsaid that single-member constituencies are the most suitable in the political conditions now prevailing in our country. It may be mentioned here that the Secretary of State in writing his letter to the Chairman of the Hammond Commission has stated that the British Government are definitely in favour of single-member constituencies. It may also be mentioned that for the last fifty years, France has been experimenting with the single-member and multi-member constituencies. After various alterations and trials, France has finally adopted the single-member system as the basis for a stable Government. Again, in introducing the Redistribution Bill in the House of Commons, Mr. Gladstone claimed for the single-member system not only that it was conducive to the formation of stable Governments, but that even in the matter of representation of minority communities, it was not disadvantageous. Taking into account the political conditions now prevailing in our own province, I

[Mr. Daniel Thomas] [2nd November 1935]

may say that one of the points made by several hon. Members was that there should be as intimate and close connexion as possible between the member representing a certain area and the residents in that area. It cannot be gainsaid that for the purpose of achieving such a close association between the member and his constituents, a small constituency will be of definite advantage. It is also a well-known fact that electioneering campaigns are becoming increasingly expensive; what with the motor travels, various publicity arrangements, etc., even the legitimate expenses of candidates are growing and growing indefinitely. In these circumstances, it must be admitted that smaller constituencies will mean much greater economy in election campaigns than bigger constituencies. (Mr. P. V. Krishnayya Choudari: 'Question.') Another essential point which my hon. Friend will not question is this: that when there are a large number of candidates representing a single area, it often becomes a settled fact that each member tries to shove on to his colleagues the responsibilities and duties which are involved in the representation of that area. Supposing in a particular area, some work has to be done, some representation has to be made, or some agitation has to be carried on for getting some relief, then every member points to his nearest colleague, who turns round and points to another, and so the turn goes on. In fact, when there are many members collectively responsible for the carrying out of a particular work, no member takes individual responsibility, but simply points to his neighbour. These and other considerations which will, I believe, be obvious to hon. Members of this House, clearly indicate that single-member constituencies are of very great advantage in the present conditions of our province. In fighting elections in a single-member constituency, the fight will be a straight and simple fight, whereas in the case of the multi-member constituency, the alignment and the working of the parties, the organizations of the communities and the confusion of the voters will be disadvantageous and deleterious to the smooth working of the election machinery. I therefore strongly urge upon this House that the single-member constituency which is justified both by historic authority elsewhere and also by the conditions of this province, is by far the best of all devices that could be adopted for carrying on the election machinery.

"Coming now to the question of the method of voting, unfortunately, Sir, I am not in entire agreement with the report. Of course this question of the method of voting will not arise except in multi-member constituencies. Under the present scheme, there will be a very large majority of single-member constituencies and there will only be a few dual-member constituencies where seats have been reserved for the backward or depressed classes. The restriction in such cases to a single non-transferable vote will mean that the Adi-Dravidas will all vote only for the Adi-Dravida candidate, while the non-Adi-Dravidas will all vote only for the non-Adi-Dravida candidate. I believe that defeats the very object of the Poona Pact, by which the Adi-Dravidas and the non-Adi-Dravidas were sought to be brought into close association with each other. In fact, the distributive voting, to a certain extent, includes

2nd November 1935]

[Mr. Daniel Thomas]

also the non-transferable vote, because if the voter so pleases, he can restrict himself to one single vote. There is nothing to prevent him from giving only a single vote, though he may give more. I therefore suggest that in the case of the dual-member constituencies, the system of distributive vote may be adopted. But, subject to this minor detail, I submit to this Hon. House that the report as put forward by the Delimitation Committee is sound in its essentials, is just in its principles, and gives the largest and fairest representation to all areas, communities and parties resident in our province.

"I have one other aspect to deal with, and that is the question of representation of Indian Christians. My hon. Friend Mr. Krishnayya Choudari has chosen to make criticisms with reference to the allocation of seats for Indian Christians. In fact he was so uncharitable as to say that because there was one member belonging to Tinnevely on the Committee, women's seat had been given to that district in excess. I may mention for his information that it was not on the recommendation of the Indian Christian Sub-Committee that that seat was given to Tinnevely; in fact, they recommended that the seat should go by rotation to Madras, South Kanara and Guntur; but it was on the insistent demand of the Women Sub-Committee that this seat was given to Tinnevely. The women's seat is not to be reckoned as one of the eight seats given to the Indian Christians. One women's seat was specially allocated to the Indian Christian community by the Women Sub-Committee and that seat was given to Tinnevely.

"Therefore, Sir, the reasons for allocating the women's seat to Tinnevely are obvious. In this connexion, I think unstinted praise should be given to the Government Memorandum from all sides of the House, for recommending that a women's seat should be given to Tinnevely. As a matter of fact, Tinnevely contains the largest number of women electors of all the various districts of the province. It contains something like 39,000 voters, that is, nearly double the number of voters in the Guntur district. In the matter of the advancement of women, it is well known that Tinnevely women are the most advanced people in this province. If you take the service list of any Government department, for instance, the Medical department and the Educational department, you will find a good majority of women are from Tinnevely. (A voice: 'What about South Kanara and Malabar?') No doubt in South Kanara and Malabar there are also very enlightened ladies, but in the matter of the number of women voters and the general advancement of women—probably there may be individual exceptions in the case of Malabar and South Kanara—Tinnevely has the largest claim for representation of women. So far as women electors are concerned, Tinnevely contains something like 10,000 voters whereas Guntur whose cause my hon. Friend Mr. Krishnayya Choudari champions so enthusiastically, has only a very few number of women voters. So, Sir, in view of these various considerations, the recommendation of the Committee that a women's seat should be given to Tinnevely is sound and just. I may also mention here that whichever area is selected for allocating a

2-45
p.m.

[Mr. Daniel Thomas] [2nd November 1935]

women's seat, it would be an extra seat and it is therefore no use saying that Tinnevely has been given this seat. On the other hand, if Guntur is given this seat, it will again be an extra seat and it is therefore no argument that the recommendation of the report is not satisfactory in this respect.

“ But the main question which I wish to place before the House in connexion with Indian Christians is the new point raised by my hon. Friend, Mr. Sreshta. I may state here that I am very much in sympathy with the sentiments and ideas expressed by Mr. Sreshta. Those of us, Indian Christians, who wish to be in the forefront of national progress and who are keen on achieving national solidarity, are anxious that the time must arrive when Indian Christians will merge themselves in general electorates with only this condition, i.e., reservation of seats (the Hon. Mr. A. T. Pannirselvam: ‘ Why? ’). My Hon. Friend Mr. Pannirselvam asks, why. The reasons for it, so far as we are concerned and those of us who agree in this matter, are obvious. It is, of course, open to my Hon. Friend, Mr. Pannirselvam, to stick to the view he expressed at the Round Table Conference and he is entitled to do so, but some of us, I believe, have a different view of the matter. The time is now near at hand when Indian Christians should no longer seek to hold aloof and the time would shortly arrive when Indian Christians should merge themselves in general electorates with the only safeguard of reservation of seats. But that time is not yet come. That method of representation can only be considered when the revision of the Communal Award is taken into consideration. That may take some time more or it may be some years hence. But until then, the question is, what is the intermediate method of representation till that stage is reached. I think that the system advocated by my hon. Friend, Mr. Sreshta—and I believe it is also advocated by certain other people of my community—does not carry the opinion of the bulk of the members of the community. Sir, according to the census figures, there are 17 lakhs of Christians in this province and by the system of elected representation nearly 8 lakhs of Christians would be left out of the pale of Indian Christians. You must remember that those 8 lakhs of Indian Christians have till now been included in the electoral area and they were till now represented by territorial Indian Christian representatives and we should not try to take away the representation which they have enjoyed for the last ten or fifteen years in various areas. The question is whether such a change should be made now. So far as this question of territorial representation is concerned, the Catholic Indian Association of Madras which represents the bulk of the Catholics in the province, excluding Malabar and South Kanara and the Andhra Christians, are in favour of the old arrangement. I may also mention here that this system of representation by territorial method in certain areas and representation through general electorates in other areas, is neither fish nor flesh. In fact, it will mean creating a split in the community and breaking the solidarity of the Indian Christians in the province. You will then be segregating the Indian Christians into two

2nd November 1935]

[Mr. Daniel Thomas]

classes, those who will be represented by territorial Indian Christian representatives and those merged in general electorates. After all, the position of the Indian Christians who will be merged in the general electorate will not be better. In the new Councils there are going to be only eight or nine Indian Christian seats and as a matter of working proposition I would ask what can these scattered, stray, small numbers of Christians in various territorial constituencies in a general electorate of the province do to carry their influence in such a general constituency? After all, the number of voters in a general constituency may be some 30,000 or somewhat more and in such large numbers what can a few hundred or thousand Indian Christian voters do with probably the support of the member representing that constituency? After all, the question of Christian representation would arise only when conflicts occur between Christians and non-Christians and if no conflicts arise, there is no necessity for separate representation for Indian Christians. But when once the principle of separate representation for Indian Christians is conceded—and that is to be given effect in the constitution of the country—then Christians in non-selected areas are entitled to ask, what is to be their position and who would represent them. No doubt you may go to the representative of the district and tell him your grievances, but what sanction or what power or authority will these voters have to approach that member? Of course, we shall pray that such conflicts may not arise. As things stand at present, when every community wants separate representation, I submit that Christians have now as much right to separate representation as others.

“Over and above such things, there are certain legal difficulties also in the way of adopting this method of select representation. In the Fifth Schedule to the Government of India Act, the direction is given that a province shall be divided into territorial areas. That is the general principle. The general direction is that the whole province shall be divided into territorial areas and it is only by way of exception it is provided that in special cases where any particular areas are deemed to be unsuitable for inclusion in such general constituencies, such representation should be given. Though my hon. Friend, Mr. Sreshta said that the term ‘unsuitable’ may be interpreted otherwise, yet that term admits of elastic interpretation. They do not say the circumstances under which the various areas in the province should be included in Christian constituencies. For instance, as between Tanjore and Malabar, according to his meaning, he would leave it to Government to decide. That only implies that the claims of Tanjore and Malabar are so equal in the matter of population and voting strength and in various other matters that he is unable to decide as to which of these areas should be given select representation. Supposing the Government decide that Tanjore or Malabar should be selected, how, of these two districts which are equal in population and voting strength, one should be deemed unsuitable? Is it merely because of the fiat of the Government that one of the two districts will be selected for select representation? I would submit, there is no reason or justification for

[Mr. Daniel Thomas]

[2nd November 1935]

the inclusion of Malabar and the exclusion of Tanjore, if Malabar is selected for the purpose. I, therefore, submit that as the Government of India Act now stands, there is the clause in the Fifth Schedule which says that unsuitable areas should be excluded, and this provision cannot be disregarded and the select system of representation adopted.

“ One other thing which I would like to mention in this connexion is this: what about the Christians in non-selected areas standing as candidates? The Christian community will not be satisfied unless a Christian resident in that area, whether selected or non-selected, is entitled to stand as a candidate. For the purpose of securing such an advantage, no doubt there is the rule which enables the Government to frame rules setting out the qualifications of candidates. But as against this power vested in the Government, there is no provision in Schedule VI which, I believe, stands in the way of framing any rules which would confer this right on Indian Christians in non-selected areas. Rule 5 of Part I of Schedule VI says:

‘ No person shall be included in the electoral roll for a Sikh constituency, a Muhammadan constituency, an Anglo-Indian constituency, a European constituency, or an Indian Christian constituency unless he is a Sikh, a Muhammadan, an Anglo-Indian, an European or an Indian Christian, as the case may be.’

Rule 6 lays down:

‘ No person shall be included in the electoral roll for a Sikh constituency, Sikh constituency, Muhammadan constituency, Anglo-Indian constituency, European constituency, or Indian Christian constituency in any province shall be included in the electoral roll for a general constituency in that province, or vote at any election to fill a general seat therein.’

“ If, therefore, Christians are to be included in general constituencies they cannot, by that very fact, be eligible to stand as candidates. I do not think, consistent with the rule which has been laid down, it will be open to the Government to frame a rule by which Christians who are entered as voters in general constituencies can be given a right to stand as candidates in a Christian constituency. I therefore submit that this is a matter which has to be further examined in view of the fact that there seems to be a doubt or uncertainty, whether in view of rules 5 and 6 quoted above, it will be open to the Government to frame a rule inconsistent with the provisions of the Act. .

“ Then, Sir, in view of the difficulties both legal and practical and in view of the fact that large masses of Indian Christians will be left out of territorial constituencies in case the select method of representation is adopted and in view of the fact that most of these people,—except of course some who are ahead of the opinion of the bulk of the people—large masses of Indian Christians have not agreed to be left over and be included in a general electorate, I submit that the right which these people have so long enjoyed should not be taken away, unless they themselves want it.

p.m. “ I submit, Sir, that a bulk of the people have not yet made up their minds to give up their representation. However much I am in sympathy with the views of Mr. Sreshta, I am of the opinion that

2nd November 1935]

[Mr. Daniel Thomas]

the view of the Indian Christian Sub-Committee which is in favour of territorial representation for Indian Christians in this province unanimously accepted by the Committee and the Government, is the proper and sound method of representation of the Indian Christians at the present moment. I would therefore appeal to the House to accept the recommendation of the Delimitation Committee."

* Mr. W. K. M. LANGLEY:—"Mr. President, I hesitate to intervene in this debate but in view of my association with Malabar, I feel it incumbent upon me to do so because I fear that unless I add my remarks to those of other members from Malabar who have preceded me my position might not be clearly understood. I should preface my remarks by stating that although in speaking on a matter which deeply concerns Malabar, I am speaking perhaps more particularly in my personal capacity, at the same time I am glad to say that the European group support with all their authority any remarks that I may make on this particular subject. I wish to associate myself very fully with the remarks that have already been made by my hon. Friends, Mr. Palat, Mr. Pocker and Mr. Schammaad. I fear this House has perhaps heard too much from Malabar during the last two days and therefore I will be as brief as possible.

"I wish to confine myself entirely to a serious error, a blunder I might almost say, which if it is left uncorrected will in effect do a very serious injustice to an important section of the community in Malabar. I refer particularly to the decision of the Delimitation Committee to take away the originally proposed urban seat for the Mappillas and Muhammadans in Calicut. On this particular subject there is only one particular point that I want to make and that is the very definite distinction between the Mappillas in the coast towns and the Mappillas in the interior rural areas. The Mappillas in the coast towns are much more advanced in every respect and more educated and more cultured than the Mappillas in the interior and their functions in life are quite distinct. In addition to this the Mappillas in coast towns represent, in my considered opinion, an extremely important function in the economic life of Malabar. They are the principal traders of the coast; at one time they were the only actual traders though now there are many European traders and still more Gujarati traders. But still the solid foundation of trading in Malabar is represented by the Mappillas of the coast towns. They are the essential connecting link between the interior parts where the produce come from and the coast exporters, whether Gujaratis or Europeans. They advance money in the interior and they represent I should say hundred per cent practically of the timber trade, a most important trade of Malabar. They also are the great organizers of the whole of the coir-yarn trade of Malabar which in itself affords greater employment to everybody than any other trade and also in every respect they are the people who are the connecting link and who bring the produce from the interior parts down to the coast. As such I maintain that they represent an

[Mr. W. K. M. Langley] [2nd November 1935]

important section who have problems of their own and who should have representation of their own and who cannot afford to be swamped in any general rural constituency.

"Now it might be argued in opposition to my view that, if they are so advanced commercially, they can easily seek their remedy in one of the commercial seats which are provided under the new constitution. I think I can dispose of that particular argument. Although they are extremely shrewd in business, they are nevertheless illiterate according to European standards though they have a culture of their own; but at the same time owing to the fact of their illiteracy, as far as the European language is concerned, they do not take kindly to modern methods of commercial politics in the shape of chambers of commerce and so forth. They cannot make their voices felt in that way. But still they do represent an extremely important—a pre-eminently important—community in Malabar and this urban constituency of Calicut would have provided them with an opportunity of making themselves felt, and in this House heard, politically.

"I would just advance one other point in this connexion and that is, I presume, that it is the desire of everybody who desires to work the new constitution seriously, to make classes which are regarded as comparatively backward politically, such as the Mappilla community, more politically conscious. I maintain that the easiest way to make them politically conscious is that they should have what might be regarded as an urban constituency in the leading town of Malabar such as Calicut which could serve as a rallying ground for Mappilla opinion generally in Malabar. The more advanced Mappillas of Calicut inevitably would take the lead and set an example to the less advanced Mappillas in rural constituencies and thereby, I feel that the Mappillas who are backward politically would become more politically conscious and would then throw their full weight into the kind of councils which we are now approaching.

"There is one other point. It is a point which does not, I am afraid, carry very much weight nowadays. I allude to gratitude for the part played by the Mappillas of the coast towns during the Mappilla rebellion. I do feel that the out-going Government owes it to the Mappillas of the coast towns as a recognition of their part to give them due representation. The rebellion has been referred to in one or two speeches. Mr. Schamnad said it was in 1920; but in point of fact it occurred in 1921. During the whole of that very trying period, it was inevitable that the sympathies of the Mappillas of the coast towns must have been very largely with those brave though misguided men of the interior of Malabar; but throughout the whole period of that small war which lasted for a period of nine months or more and was carried on sporadically a considerably longer time, during the whole of that time, the Mappillas of the coast towns remained absolutely firm and unshaken and I attribute it very largely to the excellent guiding influence of the more prominent Mappilla traders of the West Coast.

2nd November 1935] [Mr. W. K. M. Langley]

I feel sure that in claiming that this urban seat should be returned to the Mappillas of Calicut, I am claiming no more than what ordinary justice and right dictates."

* Mr. C. BASU DEV:—" Mr. President, Sir, at the outset allow me to associate myself with the remarks of my hon. Friend Mr. Daniel Thomas with regard to the report, just in essentials and sound in basis and for this we are not a little indebted to the indefatigable energy and the unbiased and intelligent judgment of the Chairman and the Secretary assisted by members of considerable experience and ability. I would not have risen, Mr. President, but for the fact that a large number of hon. Members who spoke on this report opposed single-member constituencies. Lest the idea should gain ground that the majority of this House are in favour of multi-member constituencies, I rise to oppose the system of multi-member constituencies and support the decision of the Committee in favour of single-member constituencies. I am certain that if a vote is taken on this issue, the House will unequivocally give its decision in favour of single-member constituencies. I shall add only a word or two to what Mr. Daniel Thomas has said at considerable length in support of the single-member constituencies. I can understand the anxiety of those who advocate multi-member constituency; there are one or two reasons. I think they are entirely opposed to the idea of greater responsibility which a single-member constituency inevitably involves. Multi-member constituencies are free from such responsibility; and only they can succeed who are adepts in those devices of demagogues described in Latin as *suppressio veri* and *suggestio falsi*. And the larger the area of the constituencies the greater are the chances of their mis-statements, and false averments going unchallenged. No wonder therefore they are against small single-member constituencies.

" With regard to the University constituency there has been again a great volume of opinion expressed against the Senate and the Academic Council forming the constituency. I cannot understand the arguments of my hon. friends against the Senate and the Academic Council. Under the Act the University consists of the Senate, the Syndicate and the Academic Council and not merely the registered graduates. Why then restrict the constituencies only to registered graduates? It is not contended that at any time the cause of University education ever suffered at the hands of hon. Members of this House and as a matter of fact the number of graduate members here is considerably high and yet another graduate cannot improve the position. I think, therefore, that if the University is to be represented the Senate and the Academic Council, as suggested, is the proper constituency. 3-15 p.m.

" Coming to the question of labour representation, I am glad the House is unanimous in agreeing with the recommendations of the Committee, and of the Government, with regard to the non-union constituency as the only good and proper form of constituency at the present moment. The recommendations of the Government are against

[Mr. C. Basu Dev] [2nd November 1935]

trade unions constituency and they are the best and most proper recommendations. At the present moment trade unions in this country are most unsatisfactory to say the least. Some trade union leaders have put forward the claim for trade union constituency with selfish motives. I do not see, Sir, why the representatives of the workers should be restricted and that only members of trade unions should have a vote in sending their representatives to this House. The object in giving representation to labour is to give some voice to 75 per cent of the workers who will be practically benefited. Any restrictions on this constituency will defeat this object and will be unfair. The recommendations of the second report of the Delimitation Committee include in one territorial constituency the textile workers of Madras and Coimbatore and combine in another constituency textile workers of Madura and Tinnevely. The textile industry in Madura, Madras and Tinnevely is static and will not expand while Coimbatore is ever expanding. Some more mills are about to be started and by the time the electoral rolls are prepared, I am sure the textile workers there will be more than 25,000. In Madras, Tinnevely and Madura, their number put together will not be more than 18,000. I therefore think that this combination of Coimbatore and Madras and Madura and Tinnevely is unjustifiable. Coimbatore alone and if necessary combined with Malabar should form one constituency and the rest of Madras, Madura and Tinnevely should be clubbed together into another constituency.

“ Sir, during the debate on this report I was considerably surprised at the narrow parochial attitude of the public men pressing for what I may call the fractional claims of their respective districts. For example for 4.5 of seats that Guntur should get on the population basis only four seats are allotted. Mr. Krishnayya Choudari protests and points to another district which with a claim of 6.5 on population basis gets seven seats. I thought in this country we had only conflict of communal claims. I now see there are territorial rivalries also. Yesterday I was considerably surprised to hear my friend Mr. Palat pleading for special representation to Malabar on account of its pepper and coconut. This day in one of the interpellations there was something about legislation for protecting chillies. They are commodities of Guntur and if chillies and tobacco are to be protected Guntur will have to get yet one seat more than even what Mr. Krishnayya Choudari fights for. The recommendations of the report are essentially sound and just. The issues involved are of a complicated nature, and it is difficult to please everybody. One word more, Sir, about my claim for recognition and representation for the backward classes. (Voices: ‘ What about the Hindu backward classes? ’) I am aware that it is too late in the day to claim for the Hindu backward classes reservation of seats. But I think some justice can be done to them if in the women seats at least three may be restricted to lady members of backward Hindu classes. If this is admissible at this stage, I request the Government to consider it with sympathy. With these words I once more support the main recommendations and beg to repeat that if a vote is

2nd November 1935] [Mr. C. Basu Dev]

challenged the majority vote will be in favour of single-member constituencies and the University representation by the Senate and the Academic Council."

Mr. M. A. MUTHIAH CHETTIYAR:—"Mr. President, Sir, I am grateful to the Government for the opportunity that has been afforded to discuss the Report of the Madras Delimitation Committee. I desire at the outset to give expression to my appreciation of the care with which the Committee has discharged the important duties entrusted to it, and also of the admirable memorandum prepared by Mr. Boag, which a good deal facilitated the work of the Committee.

"As I represent in this hon. House one of the Indian Commercial constituencies, my remarks will be confined to the subject of Indian commercial representation. While I share the view that more seats could have been allotted for Indian Commerce under the new constitution, I think that no useful purpose will be served by going into the question at this stage (in view of the Communal Award). Moreover, I realize the anxiety of European commercial interests that Europeans in the future provincial legislature should have at least as many seats as they enjoy at present, and also the justice of the plea that, while Indian commercial interests will be able to secure representation to some extent through the territorial seats also, the Europeans will not be able to increase their representation in any manner.

"As regards the *representation of Indian Commerce*, the Committee's recommendation in the first and second report is the continuance of the present arrangement by which the Southern India Chamber of Commerce and the Nattukottai Nagarathars' Association each return one member. I submit that I respectfully agree with the decision. The claims of the two commercial organizations for separate representation rest on the grounds of service, status, constitution and representative character.

"Established in 1909, the activities and influence of the Southern India Chamber have shown rapid progress during an unbroken period of 25 years. The Chamber was the third Indian Chamber of Commerce to be started in the whole of India. It has for the past several years been accorded separate representation on various public bodies. The constitution of the Chamber no less than the activities of the organization will show that the Chamber is impelled by high and broad ideals. No distinction whatsoever is made in respect of caste, creed or language for eligibility of membership. It has members spread over the various parts of the Presidency. The Chamber is quick in acquiring and disseminating commercial information. The various departments of the Government of Madras and the Government of India would vouchsafe to the fact how prompt and helpful this Chamber has always been in sending its opinions and suggestions from time to time on matters of commercial and economic importance. Thus it will be seen that the organization is sufficiently well established and is a really representative and authoritative body of commercial interests.

[Mr. M. A. Muthiah Chettiyar] [2nd November 1935]

“The Nattukottai Nagarathars’ Association represents the Nattukottai Chettiyar bankers, popularly known as Chettiyars. The Association can, with just pride, claim that the progress of indigenous banking is in no small measure due to the activities of the Chettiyars. In this connexion I may be allowed to draw attention to what has been said by the *Indian Franchise Committee*. The Committee has said—

‘The danger that in the absence of special representation for commerce and industry, the new legislatures may find themselves deprived of expert advice when it is most needed is, in our view a real one. The civil service which advises the Ministers has indeed an expert and intimate knowledge of the ordinary administration of the country. But its members have as a general rule, no first-hand experience of those great commercial, industrial, and banking undertakings which play a rapidly increasing part in the life of every community in the modern world. . . . it is therefore in our considered view desirable in order that the legislature may be better equipped to deal with economic subjects, that a certain number of seats should be filled by representatives of commerce and industry, who will speak in the legislatures from the expert and technical point of view.’

Whatsoever be the activities of other indigenous bankers, it may be safely stated that the Nattukottai Nagarathars will, in the years to come as in the past, be recognized, as the real backbone of the indigenous banking system throughout the Province. This will be clear from what two eminent authorities have said. *Thurston observed ‘that the Nattukottai Chettis in organization, co-operation and business methods are as remarkable as the European merchants.’* In the words of Professor *L. C. Jain*, in his book on *Indigenous Banking*, it is clear that ‘*of all the indigenous bankers the Nattukottai Chettiyars are the most perfectly organized.*’ The Madras Delimitation Committee have stated that the distinctive nature of the Nattukottai Chettiyar bankers, so far as banking is concerned, put them in a class apart.

3-30 p.m. “The claims of the South Indian Chamber of Commerce and the Nattukottai Nagarathars’ Association for separate commercial representation have long ago been accepted by Government and have also been recognized by all the commissions and committees that had to examine the question. The privilege was first accorded to the Nattukottai Nagarathars’ Association in 1910 when a Chettiyar banker was nominated to the Madras Legislative Council. With the coming into being of the Reformed Legislative Council, the Association and also the Southern India Chamber were granted the right of electing a representative. How the Indian Statutory Commission and the Indian Franchise Committee dealt with the claims of the two organizations may now be seen. The Madras Committee and the Indian Central Committee attached to the Statutory Commission recommended the continuance of the representation. The Statutory Commission agreed with the recommendation and the recommendation was accepted by the Madras Government and the Government of India. The view of the Indian Franchise Committee was that the commercial and industrial organizations which then had representation on the legislature—the Southern Indian Chamber of Commerce and the Nattukottai Nagarathars’ Association being among them—‘are fully capable of representing the

2nd November 1935] [Mr. M. A. Muthiah Chettiyar]

interests of industry and commerce as such.' The White Paper and the Joint Parliamentary Committee Report have also recognized the claims of the two commercial bodies for separate representation. I venture to think that I have succeeded in establishing that the Southern India Chamber of Commerce and the Nattukottai Nagarathars' Association should each be allowed to continue to return one member. However, I shall also deal with the suggestions embodied in an amendment that has been moved. It has been suggested that the constituency should be either merchants paying an income-tax or a combined electorate of all chambers and associations. With reference to the income-tax basis, I need only refer to paragraph 13 of the second report of the Delimitation Committee where it is stated as follows:—

'In this opinion the Committee is in agreement with the Indian Franchise Committee and with paragraph 10 of Appendix III to the White Paper where it is stated that "the special seats allotted to commerce and industry . . . will be filled by election through Chambers of Commerce and various associations."'

Regarding combined electorate, it ignores the distinction between general commercial interests and special commercial interests. I wish to draw the attention of the House to paragraph 17 of the second report of the Delimitation Committee. The majority of the Committee are anxious to encourage the development of a strong and authoritative Indian Chamber of Commerce, which shall be the recognized mouthpiece of the commercial opinion of the province. They fear that the inclusion in the constituency of a number of individual chambers and associations, some with purely local interests, others with interests restricted to a particular industry or branch of commerce will retard such a development.

"In this connexion I would like to say a few words regarding a recommendation that has been made by the Madras Delimitation Committee in their second report. The Committee has recommended that the constituency be formed of the members of the Southern India Chamber of Commerce and of any affiliated chamber or association. That will result in frustrating the very object that the Committee has in view, viz., encourage the development of a strong and authoritative Indian Chamber of Commerce. Though affiliation of other chambers is desirable from the point of view of dissemination of commercial information, it would not be advisable in the matter of commercial representation, specially in view of the following observations contained in the Government of India Memorandum to the Statutory Commission.

'On the other hand, the recognition of Chambers of Commerce as electoral constituencies is a privilege which has long been enjoyed. The arrangement succeeds in securing men of weight in the commercial world as members of the legislatures. It sends them to the legislatures with a mandate from an authority which remains competent to enforce it and it facilitates their continuous attendance. A Chamber can always get its representatives to resign if he can't attend the legislature, and can elect another without difficulty.'

"Mr. President, Sir, I have done. I respectfully and in all earnestness appeal to all members of this hon. House to support my

[Mr. M. A. Muthiah Chettiyar] [2nd November 1935]

submissions to allow the South Indian Chamber of Commerce and the Nattukottai Nagarathars' Association to continue to return a member each."

* Dr. P. SUBBARAYAN:—" Mr. President, I am very much in favour of multi-member constituencies in spite of what Mr. Basu Dev has said in favour of single-member constituencies. I feel that for the real development of the country, multi-member constituencies are the best. Single-member constituencies would bring in what I would call parish pump politics, for the simple reason that the person who is most influential in a taluk can get returned.

" On the other hand if you include one or two divisions and make it multi-member, it is much easier for the parties to work together and any party may return a candidate who supports that party. I am a great believer in party Government, and I believe if the constitution is to be developed on right lines, two well-defined parties are essential for such development. It would be much better if the constituencies are divided as suggested in Appendix V of Mr. Boag's Memorandum.

" I know it would be very difficult to make a district a multi-member constituency, as has been suggested by various members, because the franchise has enlarged the electorate to such an extent that it will be impossible for the member elected to keep in touch with his constituency, if the whole district as a unit is to return members to the legislative assembly of the future.

" Secondly, Mr. President, I should like to mention a word or two on the question of distributive versus single non-transferable vote. I would say I was pained and surprised to hear from the Hon. the Finance Member that the Government themselves have decided from the point of view of administrative convenience that the single non-transferable vote would get rid of many of the administrative difficulties and should be the method of voting which should be adopted in the matter of future elections. I am sorry they have come to such a decision, especially when they have said in publishing the second report of the provincial Delimitation Committee that they would wait to hear the remarks made on the floor of this Council before they came to any conclusion of their own which would be submitted to the Hammond Committee. I say that in this particular instance they have been carried away more by administrative convenience than by any opinion of this Council. I feel that the single non-transferable vote would cut right across the Poona Pact and all the work that has been done to bring about a joint electorate for the scheduled castes and the rest of the Hindu population. We might as well have agreed to separate electorates, and retained the 12 more seats for the general constituencies, which would have been the case if the original award of His Majesty's Government had held the field. But I am not sorry for the Poona Pact. I do feel that as long as the disgraceful behaviour of the caste Hindu exists in the country by which he keeps a vast portion of the Hindu population as an untouchable

2nd November 1935] [Dr. P. Subbarayan]

caste, they should be given every opportunity of augmenting their strength in the future Legislative Assembly, so that their voices will be one that will have to be heard. And with 30 members there is more possibility of that being done than with 18. But at the same time, I feel that the solidarity of the Hindu community, and the abolition of the caste system and the treating of the untouchable in the manner in which he ought to be treated as part and parcel of the Hindu community, would be very much weakened if the single non-transferable vote were to rule. Even from the point of view of administrative convenience, I do not think it would be impossible for the voter, however illiterate he may be—because that is the point behind which all administrative conveniences hide—it will not really impede the voter exercising his vote properly if there is the distributive system. The Government seem to be enamoured of the single-member constituency and the dual member constituency in case where seats are reserved for the scheduled castes. Therefore, the voter will really have to decide upon two votes in the constituency where a seat is reserved for the scheduled castes and he is shrewd enough to understand that he can exercise these votes in such a way as to return one scheduled caste candidate and one belonging to either of the scheduled or general Hindu community; because one need not be surprised if in some cases, as it has happened in Anantapur in the district board elections, two scheduled caste men were returned for a constituency with a seat reserved for scheduled castes. I think more such occurrences will take place. I think that will be the only way in which the scheduled caste Hindu will have a place in the general body politic. Therefore I don't see why Government should be worried over the question of administrative convenience. I therefore feel that the members of Government even at this late hour if they can change their view, can do so. I very much hope so from the way in which the Hon. the Finance Member smiles.

“Lastly, Mr. President, I would like to deal with the representation of University seats given to this province. It has been said that the University which you want to represent and the University as defined by the statute, really consists of the Syndicate, the Academic Council and the Senate, and if three seats had been given to this province for Universities, and if you think that the University can better be represented in this Council by the University authorities, I can understand your wanting a candidate for the University returned by the Senates of the three Universities concerned. But we are governed by the statute and the statute gives only one seat for what is called University representation. I know that in the committee one particular member made a great play of the expression ‘Rangoon University’ which is found in the schedule with regard to Burma. But the Provincial Franchise Committee of Burma, which must have had as much intelligence as the hon. Member of the committee who put forward this argument, have decided after consideration unanimously that the graduates of the Rangoon University should return a member for the University constituency as far as the new Burma Legislative Assembly is concerned.

[Dr. P. Subbarayan] [2nd November 1935]

And with regard to other provinces also, most of the Provincial Delimitation Committees, if I remember right, all of them have decided that it should be the graduates who should return a member for representation of University in the Legislative Assembly. This is in consonance with the practice of English constituencies as well. Because in England, from time immemorial, it is not the governing body of the University that is returning the member for the University. Before the passing of the Representation of the People Act of 1918, it was those who were M.As. of the University who returned the member for the various Universities which had representation in the House of Commons. But when the new Act was passed, every graduate of the University of Oxford or Cambridge, or any of the Provincial Universities, can get himself entered on the electoral roll of that constituency by payment of a prescribed fee which is left to the Universities to decide. And I know that to-day you can become a voter of the constituency of the University by payment of one pound.

3-45
p.m.

“ A mere B.A. of a University who graduated only yesterday could get himself put on the electoral roll of both the Oxford and Cambridge Universities by payment of one pound. In the case of the University constituency any graduate of the various Universities can get himself put on the electoral roll by payment of the prescribed fee of £1. But here the only practice which was obtained before the new Act was passed was that every graduate of seven years' standing had a vote in the University constituency in the present elections to the Legislative Council. If really you think that some limit of years should be placed on such graduates, I can understand your retaining the present franchise qualifications for the new University representation; and if you think that for keeping the electoral rolls up to date the Universities should be empowered to prescribe a fee I can understand that also, because I think it is more from the financial point of view that a fee was prescribed in the case of representation of British Universities. But I cannot understand your taking away the franchise from a large body of electorate which possesses that right to-day and placing it in the hands of a small group such as the Senate would be. The tendency of all modern democratic constitutions has been to widen the electorate as much as possible and, when such is the case, I cannot understand either the Provincial Delimitation Committee or the Provincial Government trying to really restrict the franchise in the case of University representation. I hope, Mr. President, when the Government come to reconsider their decision with regard to this matter, they will carefully consider this question of restricting the franchise which they would do if they adopt the recommendation of the Provincial Delimitation Committee.

“ Finally, Mr. President, I would like to say a word or two about Mr. Boag, because I think that without his labour it would have been impossible for the Provincial Delimitation Committee to have finished their work as quickly as they did. We sat for nearly ten days in the beginning and for about eleven days at the second meeting and I think

2nd November 1935]

[Dr. P. Subbarayan]

it was his hard work and the way in which he put up his memoranda for the Committee which made it possible for the Committee to do their work in the expeditious way in which they did it. I am sure every Member of the Committee is indebted to Mr. Boag for his labours. Finally I would also like to say a word of praise to the Chairman who sat through most boisterous meetings of the Committee and kept his patience which I think was well-nigh impossible on some occasions."

* Mrs. K. ALAMELUMANGATHAYARAMMA spoke in Tamil and the following is an English summary of the speech:—

"Sir, as a Member of the Women's Sub-Committee of the Delimitation Committee I wish to say a few words in justification of the recommendation the sub-committee made. But before doing so I wish to say that the representation for this metropolitan city could have been increased to eight or ten. With the widening of the franchise we are going to have nearly 80,000 voters. At present for its 20,000 voters the city sends four representatives. I think the number of representatives for the city should keep pace with the increased number of voters. I would also suggest that the female population in the city is so large that two or more ladies' seats should be allotted to Madras. As regards the representation for the University I submit that franchise should not be restricted to the graduates only. The members of the Senate whether graduates or non-graduates and other University bodies as they are all elected representatives also should have the vote in the University constituency.

"Some hon. Members coming from the West Coast urged that a Muslim women's seat should be allotted to Malabar inasmuch as Map-pilla women in that place numbered about 21,000. They forget the fact that though the female population was large there, they were yet to see one Muslim woman on any of the local bodies on the West Coast. The proper constituency for returning a Muslim woman was therefore the city of Madras where there were many educated Muslim women in the educational institutions and there were also the wives of officials and experienced public workers. They have taken part in the Women's Conference and so on. The memorandum of the Government itself says:—

'On considerations of population and voting strength, the women's seat should go to Malabar; but it is doubtful if suitable women candidates will be forthcoming there; and it may be necessary to allot this seat to Madras City.'

"The women's sub-committee had acted impartially in this respect.

"As regards the Indian Christian women's seat, my hon. Friend Mr. Daniel Thomas has explained why it was given to Tinnevely. I think that if Guntur has as many educated Indian Christian ladies as Tinnevely, they can easily come through the general electorate.

"On the question of the representation of the backward communities I wish to say that I would be happy if some practical sympathy would be shown by hon. Members who pleaded eloquently for them."

[2nd November 1935]

* The Hon. Mr. G. T. H. BRACKEN:—" Mr. President, Sir, for three days now we have had very interesting debate on this question of delimitation and I think it is very satisfactory that almost all hon. Members have accepted the suggestion I ventured to put forward that as far as possible they should confine themselves to the general principles and not go into the details of this or that district. There were one or two exceptions, one somewhat lengthy. The various opinions that have been put forward in this House will receive the earnest consideration of the Government and I have no doubt they will be looked into with great care by the Hammond Committee. In this connexion I would suggest to hon. Members that if they could send the final editions of their speeches as early as possible, this debate will be printed very soon and sent to the Hammond Committee a little earlier.

" Another satisfactory feature of this debate is, I venture to think, that party has been kept out of it almost entirely. This is not really a party question and it is just as well that all the different proposals have been considered really on their merits.

" I do not propose to enter into the detailed arguments as there is little time available, and indeed the arguments of one side of the House have been met by arguments of the other side of the House. And after all, the Government have still to make up their minds after hearing the debate yesterday and to-day.

4 p.m. " There are, however, just one or two points which have not been answered and on which I should just like to say a few words. The hon. Member for the University spoke about disenfranchising the graduates, but under the literacy qualification all graduates can get their votes in future and if the graduates continue to vote in the University, it will be plural voting and they will get two votes . . . "

Diwan Bahadur T. A. RAMALINGAM CHETTIYAR:—" Why not give them option to vote in one constituency? "

(Another voice: " What about commercial constituencies? ")

* The Hon. Mr. G. T. H. BRACKEN:—" My point is that they are not completely disenfranchised. On this question I would like to mention one personal matter. One hon. Member mentioned that the hon. Member for the University was not appointed as a Member of the Delimitation Committee although he was on the Franchise Committee. The hon. Member was a most valuable Member on the Franchise Committee and Government would have been only too glad to have continued him on the Delimitation Committee, but there was one rather serious objection which I think would be readily understood by every one in this House, viz., that if he had been put as a Member on the Delimitation Committee, Tanjore, would have got two

2nd November 1935] [Mr. G. T. H. Bracken]

representatives on that Committee. It was really necessary to distribute representation as far as possible all over the Presidency. I am very glad to have had an opportunity of explaining as to how the thing occurred.

“The hon. the Lady Member for the City of Madras, speaking about single non-transferable vote, said that it was undemocratic. I fail to see that the single non-transferable vote, or the distributive vote or the cumulative vote is either undemocratic or democratic; they all seem to be in that respect to stand on the same footing. One system may be better than another and there are other arguments of course for all the three methods. Therefore I cannot see how a single non-transferable vote is an undemocratic form of voting.”

* Mrs. A. RUKMANI LAKSHMIPATHI:—“On a point of personal explanation I should like to point out to the Hon. the Finance Member that what I meant was that if the single non-transferable vote in multi-member constituencies is introduced, it will tend to bring about communal feelings. That is what I meant particularly in relation to our country where so much communal bias exists and where the people are divided into so many compartments, such as castes, and sub-castes.”

* The Hon. Mr. G. T. H. BRACKEN:—“I venture to suggest that communal difficulties are not quite the same as democratic. But on the question of democracy I heard the hon. the Lady Member suggest that Harijans of Madras should get representation in preference to those in rural areas on the ground that people in rural areas were backward, and the same in regard to the West Coast. She suggested that the West Coast Muslims were rather backward. If this is not an undemocratic proposal I don't know what is.

“The hon. the Leader of the Opposition dealt at some length with the question of single-member constituency and single non-transferable vote. It is true I said that on that point the Government had made up their minds, but this did not mean to imply that it was not open to the hon. the Leader of the Opposition to convince them even at the eleventh hour if he could. I would like in conclusion to thank the hon. the Leader of the Opposition as to what he said about the Chairman of the Delimitation Committee and the Secretary of that Committee and I think all Members of this House are under a special debt of gratitude to them.”

* The Hon. the PRESIDENT:—“Is the hon. Member, Mr. Krishnayya Choudari, pressing his amendment?”

Mr. P. V. KRISHNAYYA CHOUDARI:—“I just want to know, before I decide to press my amendment or not, what the attitude of the Government is on these amendments. My pressing or not pressing will depend upon what part the Government is going to take with regard to these amendments. The Hon. the President asked me to wait to find out what the attitude of the Government is on these amendments and therefore I have waited till now.”

[2nd November 1935]

* The Hon. the PRESIDENT:—"Is the Hon. the Finance Member going to make any statement?"

* The Hon. Mr. G. T. H. BRACKEN:—"Sir, I would rather deprecate a vote of this House on these amendments. It is mainly a question of putting all the arguments of all sides of this House before the Government and the Hammond Committee and I venture to suggest to this Hon. House that voting will not be really helpful, but might rather confuse the matter. I would rather suggest to this Hon. House that there should be no voting at all. All the opinions expressed here will be placed before the Government and the Hammond Committee."

* Dr. P. SUBBARAYAN:—"I am at one with the Hon. the Finance Member on this point, because I feel that voting on such matters would really lead to impossible positions, because I know in the case of the White Paper there was an agreed resolution which I moved, but there were so many amendments and if you analyse the voting on such amendments you will find there was no real agreement at all. I hope that hon. Members will not press their amendments to a division and avoid this, as I feel the Government would know from the discussions that have taken place what the feeling of a particular Member or particular section of the House is on the various questions that have been put forward."

Mr. P. V. KRISHNAYYA CHAUDARI:—"In view of the remarks of the Hon. the Finance Member and also those of the hon. the Leader of the Opposition I do not press my amendment."

The amendment was by leave withdrawn.

* The Hon. the PRESIDENT:—"Am I to take it that no other hon. Member is pressing his amendment?"

"No other hon. Member is pressing his amendment; all the other amendments are, by leave, withdrawn."

Dr. P. SUBBARAYAN:—"May I say one word? I hope that these discussions will be sent to the Hammond Committee."

The Hon. Mr. G. T. H. BRACKEN:—"Yes, yes."

V.—THE MADRAS FOREST (AMENDMENT) BILL (BILL No. 22 OF 1935).

* The Hon. Sir K. V. REDDI NAYUDU:—"Sir, I beg to introduce the Bill^a further to amend the Madras Forest Act (Bill No. 22 of 1935) and to move with the special leave of the House under Standing Order No. 39 (2) that it be referred to a Select Committee consisting of the following 17 Members:—

- 1 Mr. K. A. Nachiyappa Gounder.
- 2 „ A. B. Shetty.
- 3 „ Ahmed Miran Sahib.
- 4 Rao Bahadur P. C. Muthu Chettiyar.

^a Published in the *Fort St. George Gazette*, dated the 29th October 1935.